

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS

MARSHALL DIVISION

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DISTRICT COURT
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TX EASTERN-MARSHALL
BY

TRONTECH LICENSING
INCORPORATED

Plaintiff

v.

VTECH COMMUNICATIONS, INC. and
VTECH TELECOMMUNICATION, LTD.

Defendants.

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CIVIL ACTION NO. 2-06CV-33

JURY TRIAL DEMANDED

LED

ORIGINAL COMPLAINT

Plaintiff, TRONTECH LICENSING INCORPORATED ("TRONTECH"), brings this action against Defendant VTECH COMMUNICATIONS, INC. and VTECH TELECOMMUNICATION, LTD., alleging as follows:

THE PARTIES

1. TRONTECH is a Texas corporation with its principal place of business located at 512 Main Street, Suite 601, Fort Worth, Texas 76102.

2. VTECH COMMUNICATIONS, INC. is an Oregon corporation with a principal place of business located at 9590 S.W. Gemini Drive, Suite 120, Beaverton, Oregon 97008. VTECH COMMUNICATIONS, INC. may be served with process by serving its Registered Agent, Corporation Service Company located at 285 Liberty Street N.E., Salem, Oregon. 97301.

3. VTECH TELECOMMUNICATION, LTD. is a foreign corporation with its principal place of business located at 23/FL., Tai Ping Industrial Centre, 57 Ting Kok Road, Tai Po, New Territories, Hong Kong. VTECH TELECOMMUNICATION, LTD. engages in business in the State of Texas but, upon information and belief, does not maintain a regular place of business in the State or a designated agent for service of process. **Therefore, pursuant to § 17.044 of the Tex. Civ. Prac. & Rem. Code, VTECH TELECOMMUNICATION, LTD. has designated the Secretary of State as its agent for service of process and may be served with process through its counsel or by serving the Secretary of State.**

JURISDICTION AND VENUE

4. This action for infringement arises under the patent laws of the United States. This Court has exclusive jurisdiction under 28 U.S.C. § 1338(a).

5. Defendant has transacted, and is transacting, business within the Marshall Division of the Eastern District of Texas. Venue is proper in this Court under 28 U.S.C. §§ 1391(b) and (c) and 28 U.S.C. § 1400(b).

CLAIMS FOR PATENT INFRINGEMENT

6. On March 21, 1995, United States Patent No. 5,400,393 ("the '393 patent") was duly and legally issued for a "Voice Mail Digital Telephone Answering Device." A true and correct copy of the '393 patent is attached hereto as Exhibit "A" and made a part hereof.

7. TRONTECH is the owner of all right, title and interest in the '393 patent with the right to collect damages for all relevant times.

8. Upon information and belief, Defendant manufactures, makes, has made, uses, sells and/or offers for sale devices and/or services that infringe claims in the '393. In manufacturing, making, having made, using, selling and/or offering to sell such devices and/or

services, Defendant is infringing directly, by inducement, and/or by contributing to the infringement of the '393 patent.

9. Defendant's infringing acts have been and continue to be willful.

10. Defendant is liable to TRONTECH in an amount that adequately compensates TRONTECH for Defendant's infringement.

11. Upon information and belief, Defendant will continue its infringement of the '393 patent unless enjoined by the Court.

12. TRONTECH has also suffered irreparable damage as a result of Defendant's infringing conduct, and will continue to be irreparably damaged unless Defendant is enjoined from committing future acts of infringement by the Court.

JURY DEMAND

In accordance with Fed. R. Civ. P. 38(b), TRONTECH hereby demands a trial by jury on all issues so triable.

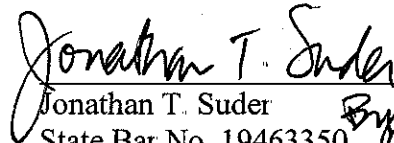
PRAYER


WHEREFORE, TRONTECH respectfully requests that the Court find in its favor and against Defendant and that the Court enter a judgment or order granting TRONTECH the following relief:

- a. That one or more claims of United States Patent No. 5,400,393 have been infringed by Defendant literally and/or under the doctrine of equivalents and/or by others to whose infringement has been contributed to by Defendant and/or by others whose infringement has been induced by Defendant;
- b. That Defendant's infringement has been willful;
- c. That Defendant account for and pay to TRONTECH damages adequate to compensate TRONTECH for Defendant's infringing activities complained of herein;

- d. That such damages be trebled for Defendant's actions complained of herein;
- e. That TRONTECH be granted pre-judgment and post-judgment interest on the damages caused to it by reason of Defendant's infringing activities complained of herein;
- f. That TRONTECH be awarded its costs;
- g. That this Court declare this an exceptional case and award TRONTECH its reasonable attorney fees;
- h. That Defendant be permanently enjoined from infringing United States Patent No. 5,400,393; and
- i. That TRONTECH be granted such other and further relief as the Court may deem just and proper under the circumstances.

Respectfully submitted,


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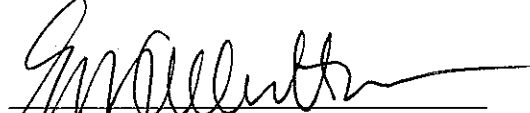

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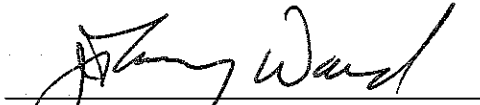
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